Another step then taken was the removal of restrictions that existed on the freedom of the press and the platform. The Press laws in the State were brought in line with those of British India. To-day there are in existence in the State over 60 newspapers and periodicals.

After the enquiry into grievances had been completed, a reforms conference with Mr. Glancy as President was held to give effect to His Highness' desire to associate his people with the administration of the State.[1] The result of the recommendations made by the conference and the Franchise Commission under the chairmanship of the late Sir Barjor Dalal, Kt., I. C. S. (Retired), was the establishment in 1934 of the Jammu and Kashmir Praja Sabha. A very low set of franchise qualifications was adopted, and the right of vote was at once given to about 6 per cent. of the population, including a number of women.

The Constitution then introduced permitted the asking of questions, moving of resolutions, introduction of Bills as also discussion of the State Budget. The Sabha consisted of 75 members, over 60 of whom were non-officials, 33 of them being elected. This Constitution remained in force until 1939, when His Highness the Maharaja Bahadur was pleased of his own accord, to sanction further constitutional advance by a proclamation issued on the 11th of February 1939.

The main features of the new constitutional advance were that :—

(a) the elected element in a house of 75 members was raised from 33 to 40 ;

(b) the Sabha was given the right of electing a Deputy President from amongst its non-official members ;

(c) provision was made for the appointment of non-official members as Under Secretaries to work with His Highness' Ministers and ensure closer association between the Government on the one side and the members of the Praja Sabha and the constituencies on the other ;

(d) the Sabha was given the right to vote, except with regard to a few non-votable items, on the demands made by Government for Budget appropriations ; and

(e) the Sabha was given the right of passing all legislation pertaining to taxes, as distinguished from fees and penalties.

[1] [i.e. after the outbreak of communal troubles in 1931 — Analyst]

642 The Constitution Act subsequently promulgated embodies the provisions of the proclamation of the 12th February, 1939. Its note-worthy features may be summarised as follows :—

646 (1) Subject to His Highness' inherent legislative, executive and judicial powers in relation to the State and his Government, the Council of Ministers, comprising the Prime Minister and such other Ministers of State as His Highness may appoint, is invested with the power of superintendence, direction and control of Civil Administration and Government of the State ;

(2) provision is made for the appointment of an Advocate General ;

• 646 (3) the legislature of the State is to consist of His Highness and the Praja Sabha, which comprises 75 members, excluding the President who is appointed by His Highness. The members of the Council are *ex-officio* members of the Praja Sabha and of the remaining members, 40 are elected and the rest nominated. Of the nominated members, not more than 8 (excluding members of the Council) are officials. The Praja Sabha has power to make laws for the whole of the State or any part thereof and for all the subjects of His Highness, wherever they may be.

652 Provision is made for laying before the Praja Sabha in
646 respect of every financial year, a statement of the estimated receipts and expenditure of the State for the year, and so much of the Budget estimate as relates to expenditure not charged to the revenues of the State is to be submitted to the Praja Sabha in the form of demands for grants. The Praja Sabha has the power to assent to or to refuse to assent to any demand or to assent to it subject to a reduction of the amount. The Council, however, has the power to restore the grant refused or reduced by the Praja Sabha, provided it considers that the expenditure is necessary for the carrying on of any department or for the discharge of the Council's responsibility for administration. Besides, His Highness may, in cases of emergency, authorise such expenditure as may in his opinion be necessary for the safety or tranquillity of the State or any part
647 thereof, or for the carrying on of any department.

646 The principal matters reserved from the purview of the Praja Sabha are :—

[643] (a) His Highness or any member of His Highness' family or the management of His Highness' household;

family or the management of His Highness' household; 692
(b) relations, treaties, conventions or agreements 696
between the State and His Majesty the King Emperor of India or the Government of India or with the Foreign Powers or the Government of any State in India;
(c) matters of frontier policy;
(d) organisation, discipline and control of the State Army;
(e) the provisions of the Constitution Act and the rules made thereunder.

The Praja Sabha has constituted Standing Committees [697]
for Finance, Industries, Public Health, Agriculture, Co-operation and Education.

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A High Court comprising a Chief Justice and two 692
puisne Judges was established by His Highness the Maharaja Bahadur in March 1928. The Judges of the High Court hold office during the pleasure of His Highness. In 1930, in view of the marked improvement in the judicial administration of the State, the jurisdiction exercised by Residency courts in certain categories of civil cases was ceded to the State courts. Almost all the judicial [695]
officers in the State are either barristers or graduates in law. Rules similar to those in British India govern the enlistment of pleaders and advocates in the State. Generally speaking, the civil and criminal laws of the State are similar to and modelled upon the British Indian laws. Recently, the jurisdiction of the High Court of Judicature has been extended to Poonch and Chenani *Jagirs*. Altogether there are 150 civil and criminal courts in the State. The total number of legal practitioners including advocates practising in all the courts is 319.

As provided by the new Constitution Act, a Judicial Advisory Board was established to advise His Highness in regard to the disposal of judicial cases going up to him. The Board discharges the same functions in the State as are performed by the Privy Council in the case of British India. Last year, the Board consisted of three retired Judges of the High Court of Allahabad.

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The 10th of September 1943 was a red letter day in the history of the administration of justice in the State.

426 decrees by civil court. About 4,000 co-operative credit societies with a working capital of about Rs. 1 crore
● [444] provide facilities for credit to agriculturists. The Praja
423 Sabha has a good record of progressive laws passed ever since its inception. ½ The Right of Prior Purchase Act has imposed restrictions on the alienation of agricultural lands, and recognized the right of pre-emption among agriculturists in respect of such land. The Land Alienation Act has further protected the interests of the agriculturists, and stopped transfer of agricultural land to non-agriculturists.
426 The agricultural classes have been defined. The Aid to the Agriculturists and Land Improvement Act provides for grants of loans for improvement of land and relief of distress and the repayment of these loans by easy instalments. In special circumstances under this Act, the payment of particular instalments of a loan may be suspended
451 and even free aid may be granted. The *Kaksharai* Act removed inequalities in the incidence of the *kaksharai* tax, and granted exemption to owners of livestock in respect of particular animals of a given age. Before the enactment of this measure, relief had been granted to owners of livestock by executive action in a number of ways. The *sambardari* cess formerly realized on
423 nomadic animals was remitted. Proprietary rights have been conferred on the *asamis* in Kashmir Province and in the Frontier districts, as well as on occupancy tenants in Jammu Province. But the one concession which has substantially added to the resources of village communities throughout the State is the *Rajtilak* boon already mentioned regarding grant of *khalsa* land to the *zamindars* concerned up to cent. per cent. of their holdings. Several *ailans* have been issued to ensure that the boon is properly
513 implemented. Reference has also been made to the extension of rights of the inhabitants of villages in regard to products of forests bordering on these villages. Recently His Highness' Government have further extended these rights on the recommendation of the Forest Enquiry Committee. Millions of cubic feet of timber and fire-wood are every year removed by *zamindars* from the forests free of charge. Forest products are also sold to *zamindars* at concession rates. Forest industries
[443] and rearing of cocoons provide employment to tens of thousands in the villages.

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½ [In 1934 -- Analyst]